

**DELEGATION OF AUTHORITY
SAFE DRINKING WATER ACT (SDWA)**

Administrative Penalty Actions Against a Federal Agency
for Violations of the Safe Drinking Water Act

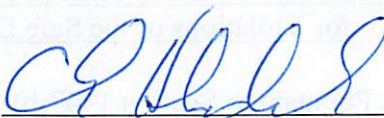
1. **AUTHORITY.** Pursuant to Section 1447(b) of the Safe Drinking Water Act, as amended, the authority to:
 - a. Determine whether a federal agency is in violation of an applicable requirement under this act;
 - b. Issue complaints and negotiate consent orders memorializing settlements between the EPA and federal-agency respondents;
 - c. Sign consent orders between the EPA and federal-agency respondents; and
 - d. Issue final orders assessing penalties for violation of the Safe Drinking Water Act by any federal agency.
2. **TO WHOM REDELEGATED.**
 - a. The authorities in 1.a. and 1.b are redelegated:
 - i. To the Director, Water Division, or equivalent.
 - ii. To the Director, Enforcement and Compliance Assurance Division, or equivalent.
 - b. The authority in 1.b. to negotiate consent orders is redelegated through the Regional Counsel, or equivalent, and through the Branch Chiefs, Air, Toxics, and Information Law Branch, Land Law Branch, and Water Law Branch, or equivalents, to the staff attorneys in the Office of Regional Counsel.
 - c. The Regional Administrator does not redelegate the authority in 1.c.
 - d. The authority in 1.d. is redelegated to the Regional Judicial Officers.
3. **LIMITATIONS.** If the head of the affected department, agency, or instrumentality requests in writing a conference with the Administrator and serves a copy of the request on the parties of record within 30 days of the Environmental Appeals Board's service of the final order, a decision by the Administrator shall become the final order for the purposes of the Safe Drinking Water Act.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **SUPERSESSSION.** This delegation supersedes R10 9-62 (10/28/2004), R10 9-62T (03/27/2013), and any other delegation of the same authority.

6. ADDITIONAL REFERENCES.

- a. 40 CFR Part 22, Subparts A-H.
- b. EPA Delegation 9-62.

June 27, 2019

Date



Chris Hladick

Regional Administrator